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Attorney's Docket No.: 07039-649006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Collins, et al.
Serial No. : 10/620,273
Filed : July 15, 2003
Title : RADIONUCLIDE LABELING OF VITAMIN B12 AND COENZYMES
THEREOF

Art Unit : 1618
Examiner : Dameron Levest Jones

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 3.73(b) AND 1.321(b)

Pursuant to 37 C.F.R. § 3.73(b), MAYO FOUNDATION FOR MEDICAL EDUCATION AND RESEARCH, a Minnesota corporation, and REGENTS OF THE UNIVERSITY OF MINNESOTA, a university, certify that they are the joint Assignees of 100% of the right, title and interest in the patent application identified above by virtue of:

☒ A chain of title from the inventors of the patent application identified above, to the current Assignees as shown below. Copies of the assignments are attached.

1. From Henricus Hogenkamp to Regents of the University of Minnesota recorded in the Patent and Trademark Office at Reel 007876, Frame 0935 on November 13, 1995.
2. From Douglas Collins to Mayo Foundation for Medical Education and Research recorded in the Patent and Trademark Office at Reel 007876, Frame 0944 on November 13, 1995.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the Assignees identified above.

The above-identified Assignees have executed an "Invention and License Administration Agreement," wherein Assignee Mayo Foundation for Medical Education and Research has all rights to administer direct prosecution of the above-identified application.

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

May 1, 2006

Date of Transmission

Angela J. Montgomery

Signature

Angela J. Montgomery

Typed or Printed Name of Person Signing Certificate

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The undersigned, whose title is supplied below, is empowered to act on behalf of the Assignee Mayo, who, as indicated above, has full prosecution rights in this matter.

Pursuant to 37 C.F.R. § 1.321(b), and to obviate a double patenting rejection, the Assignees identified above hereby waive and disclaim the terminal portion of the term of the entire patent to be granted upon the above-referenced application subsequent to the expiration date of U.S. Patent No. 6,096,290; U.S. Patent No. 6,004,533; any patent that grants from U.S. Application No. 10/027,593 (now abandoned); and any patent that grants from U.S. Application No. 10/777,820, provided that any patent granted on the above-referenced U.S. Application No. 10/620,273 shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,096,290; U.S. Patent No. 6,004,533; any patent that grants from U.S. Application No. 10/027,593 (now abandoned); and any patent that grants from U.S. Application No. 10/777,820.

The Assignees identified above do not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of U.S. Patent No. 6,096,290; U.S. Patent No. 6,004,533; any patent that grants from U.S. Application No. 10/027,593 (now abandoned); and any patent that grants from U.S. Application No. 10/777,820 in the event that any of the foregoing later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignees herein do not disclaim or otherwise affect any part of U.S. Patent No. 6,096,290; U.S. Patent No. 6,004,533; any patent that grants from U.S. Application No. 10/027,593 (now abandoned); and any patent that grants from U.S. Application No. 10/777,820.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

Please charge the deposit account the amount of \$130.00 for the required terminal disclaimer fee pursuant to 37 C.F.R. § 1.20(d). Please apply any other charges or credits to Deposit Account No. 06-1050.

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Respectfully submitted,

Date: 5/1/06

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